

McHALE & SLAVIN, P.A.

ATTORNEYS AT LAW

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DEFENDANT'S
EXHIBIT

E

April 3, 2024

Via Email

James H. Freeman
Sanders Law Group
333 Earle Ovington Blvd., Suite 402
Uniondale, NY 11553

Re: Global Weather Productions, LLC v. Joe Pags Media, LLC
Case No. 23-cv-1350-JKP-ESC (W.D. TX.)

Dear Mr. Freeman:

We write to follow up with you from our phone call on March 13, 2024, regarding the above-referenced action.

As we discussed on the call, we look forward to the draft stipulations from you regarding setting aside the clerk's default and setting a sixty (60) day period to respond to the complaint, thereby avoiding any and all service issues.

We have also obtained the attached agreement between Joe Pags Media, LLC and M3 Media Management, LLC ("M3"), outlining the scope of work M3 was hired to perform. That document has been redacted to remove irrelevant pricing/banking information. As you can see in that agreement, M3 was contracted to perform services including "Social Media Oversight and Posting," which is what gave rise to Global Weather Productions, LLC's claim against Joe Pags Media, LLC; such services are also referenced on M3's website, located at www.m3media.com, where M3 describes its services as including "creat[ing] and manag[ing] top-performing social media campaigns for businesses and media personalities. Our company does this by managing social media networks such as Facebook, Instagram, Twitter, Truth Social and Gettr on your behalf."

As discussed during our phone call, we believe this should be sufficient for Global Weather Productions to accept that the proper lawsuit would be against M3 in the Southern District of New York, rather than against Joe Pags Media, LLC in the Western District of Texas. We appreciate your sentiment during our call that the lawsuit was filed against Joe Pags Media in Texas because the offending Facebook page *appears* to be controlled by Joe Pags Media, LLC, but we hope that this evidence will help you show your client that the proper defendant for the claim it filed is actually M3, which operates its business in New York.

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Letter to James Freeman
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In light of this agreement, we believe that it is most efficient and economical for all parties and the Court if the Texas suit was simply dismissed, rather than engaging in unnecessary motion practice. Then, Global Weather Productions and M3 can either attempt to resolve this dispute between themselves or through separate litigation in the Southern District of New York.

We look forward to discussing the resolution of this matter with you, and look forward to receiving the stipulation to set aside the clerk's default and set a 60-day response time, as you advised us you would prepare. When that is ready, please use the email litigation@mchaleslavin.com, so that we receive your email (as was addressed in Andrew Lockton's email to you on March 13, 2024). Thank you.

Sincerely

McHALE & SLAVIN, P.A.

Edward F. McHale
EFM/ac



WHO ARE WE? M3 Media Management is a full-service company providing digital, social and engineering solutions. We have clients who require the full complement of services that we offer, and others who prefer to have a more à la carte approach.

We take the time to hear our clients, listen to their needs and execute digital solutions that are representative of their individual brand. We then take that product to the client's social partners to communicate that message on a broader scale.

We provide 24-hour customer service, world-class hosting and security offering breakthrough performance that grows with your clients' needs. Whether you need something updated on your site, your email isn't working or a special post is needed on a social media platform; we've got you covered - all from dedicated, U.S.-based, staff.

Our clients include some of the biggest names in the political and media world, ranging from Talk Show Host [Sean Hannity](#), former Reagan Administration Official [Jeffrey Lord](#) and Fox News Legal Analyst, and author, [Gregg Jarrett](#).

WHY YOU NEED US M3 lives in the media and digital world, and we excel in delivering news that attracts and builds audience engagement. We are a company that will handle the design, creation, content and branding of your digital footprint.

M3 Ad Platform (MAP):

M3's turnkey solution has the entire ad ecosystem covered! Ad revenue is maximized while our yield operations and custom creative teams work diligently to generate some of the highest cpms in the industry.



Included in MAP:

Header Bidding - Allow multiple ad exchanges to bid on your inventory at the same time, resulting in faster ad load times, better CPMs, and increased fill rates.

Data Management Platform (DMP) - We aggregate your ad data, silo it, anonymize it, and then use that data to increase your CPMs. Our systems produce constant streams of anonymized data that we collect and analyze in real-time. Our massive “lake” of data encompasses users, content, ad servers, demand sources, and more, providing a remarkably complete picture of each ad opportunity.

M3’s proprietary ad delivery technology utilizes separate ad servers for display, video, and mobile to maximize the performance of your ad stack.

SERVICES MENU

M3 is prepared to offer:

- Hosting on our state-of-the-art, fully redundant hosting infrastructure including security monitoring, patches, updates, etc. All content delivered to users via our S3 / Google CDN infrastructure, guaranteeing 99.99% uptime and super fast delivery.
- M3 Ad Platform including latest header bidding tech and ad exchanges, pre-roll video and newsletter ads.
- Video hosting and monetization



M3 Hosting Platform Summary:

M3's platform is built and optimized specifically for running WordPress at scale. Our servers are strategically placed around the world in large cities allowing you to get closer to your website visitors than ever before. We also have over 200+ locations around the world for caching and security services.

Benefits (included with all tiers):

- 2-3x Faster than Public Cloud. Our servers live at the "Edge of the Cloud" at Internet Exchanges. Every exchange has direct connectivity to local ISPs which ultimately reduces latency and drastically boosts site performance.
- 200+ Edge locations
- Peered at Internet Exchanges
- Multi-Terabit Network
- Global CDN Caching. JavaScript Optimization, Per Device Caching, Image Optimization, Third-party script proxying, cookie cache bypass and more.
- Optimized Edge Servers. Powered by NGINX, fastest SSD drives with guaranteed resources.

Highly optimized, proprietary hosting platform that provides industry-leading performance and speed. Using a cloud edge network, global CDN, Brotli compression, and other cutting-edge technologies for faster performance.



Enhanced security with built-in website firewall, malware protection and patching, brute force and DDoS attack protection, Automated Bot Protection and more.

PRICING (based upon a 50/50 ad net revenue split)

TIER 1 - Monthly Cost -

- [REDACTED] design, audio, video implementation, coding, SSL certificate etc.
- Site management

TIER 2 - Monthly Cost -

- Tier 1
- Monthly Support Content and Site Staff, Social Media Oversight and Posting
- Monthly Support Email
- 24/7/365 Support
- Up-Time Monitoring
- Daily off-site backups
- Daily plug-in and site security updates/patches

TIER 3 - Monthly Cost [REDACTED]

- Tier 1 and 2
- Monthly Newsletter functionality - collect emails, send out daily newsletter blasts with stories, etc.
- Push notification solution
- Google Font and Image Optimization, SEO Optimization



- Video integration, hosting and ad sales using our proprietary player customized for Joe Pags and with many popular video platforms like Rumble, YouTube, Vimeo, etc.
- Podcast recording, imaging, editing and production along with posting to Joe Pags 's site and podcast distribution outlets

DUTIES, OBLIGATIONS, and AFFIRMATIONS OF M3:

M3 does not, and will not at any time under this Agreement, assume any claim, license, or other control over any of the intellectual property of Joe Pags expressly including, but not limited to, the domain name, website, and web content hosted on behalf of those entities and commonly known as, and referred to in this Agreement as, Joe Pags .

No dispute which may arise during the term of the Agreement will give M3 the right to seize, or otherwise withhold, any intellectual property from the other parties to this Agreement. This also applies to joepags.com and the podcast hosted by Joe Pags and/or its representatives.

Joe Pags personnel will have full access to the website during the term of this agreement with unlimited rights to post news and opinion to the site as they deem appropriate.

PAYMENT TERMS



The Joe Pags Show will pay McLaughlin Media Management LLC, dba M3 Media Management, [REDACTED] for the site design. These payments will be broken out as follows:

Initial payment of [REDACTED] for site build out due upon contract signing.

Site completion payment of [REDACTED] due upon launch of Joe Pags site.

Balance of [REDACTED] for site build to be taken from earnings until the balance is paid in full.

Domain costs are TBD. (Current URL will be used, but we may purchase .io, .net)

Joe Pags will pay a monthly retainer of [REDACTED] to M3 Media Management on the 5th of every month for the **Tier 3 plan**. This retainer will be taken from earnings prior to the 50/50 rev split between M3 and Joe Pags. If earnings are not able to cover the retainer Joe Pags will pay the remaining balance due.



Payment can be made via ACH to:



PNC BANK - ACCOUNT HOLDER *MCLAUGHLIN MEDIA MANAGEMENT, LLC.*

Payment can be made via check to:

McLaughlin Media Management, LLC.





SITE LAUNCH TIMELINE

M3 will work with the Joe Pags design team to create a vision for The Joe Pags Show.

We anticipate this to be completed in roughly 10-12 weeks, pending all assets received and agreements on final design and layouts.

This contract will initiate on November 30, 2021 for an 18 month term.

TERMINATION

After the first 18 months, this agreement can be extended or terminated by either party with 30 days notice. Any remaining expenses/costs would be due at this time.



SIGNATORIES

Agreed to by:

10 / 14 / 2021

Lynda McLaughlin/CEO M3 Media Management

Date

10 / 14 / 2021

Blair Cullen/CTO M3 Media Management

Date

10 / 14 / 2021

Joe Pagliarulo/ The Joe Pags Show

Date



Audit Trail

TITLE	M3/Joe Pags Digital Agreement
FILE NAME	JOE PAGES SHOW - D...OPOSAL v3 (2).pdf
DOCUMENT ID	5e9228caecea5850c4cdb1b4f16e64932ba9ed4e
AUDIT TRAIL DATE FORMAT	MM / DD / YYYY
STATUS	● Completed

Document History



10 / 14 / 2021
04:31:15 UTC

Sent for signature to Lynda McLaughlin (lynda@m3mediamanagement.com), Blair Cullen (blair@m3mediamanagement.com) and Joe Pagliarulo (joe@joepags.com) from lynda@m3mediamanagement.com
IP: 98.115.93.162



10 / 14 / 2021
06:52:07 UTC

Viewed by Joe Pagliarulo (joe@joepags.com)
IP: 96.8.132.253



10 / 14 / 2021
09:38:01 UTC

Viewed by Blair Cullen (blair@m3mediamanagement.com)
IP: 104.28.55.166



10 / 14 / 2021
09:38:15 UTC

Signed by Blair Cullen (blair@m3mediamanagement.com)
IP: 104.28.55.166



10 / 14 / 2021
09:53:14 UTC

Viewed by Lynda McLaughlin (lynda@m3mediamanagement.com)
IP: 98.115.93.162



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SIGNED**10 / 14 / 2021**
09:53:30 UTCSigned by Lynda McLaughlin (lynda@m3mediamanagement.com)
IP: 98.115.93.162
SIGNED**10 / 14 / 2021**
17:24:22 UTCSigned by Joe Pagliarulo (joe@joepags.com)
IP: 96.8.132.253
COMPLETED**10 / 14 / 2021**
17:24:22 UTC

The document has been completed.